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PRIEST & GOLDSTEIN PLLC 5015 SOUTHPARK DRIVE SUITE 230 DURHAM, NC 27713-7736			LIU, I JUNG	
			ART UNIT	PAPER NUMBER
			3691	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/683,048	WILSON, LINDA	
	Examiner	Art Unit	
	Marissa Liu	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 13 November 2001.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-24 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-24 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 13 November 2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ .

5) Notice of Informal Patent Application

6) Other: ____ .

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 12 recites the limitation "the sub". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 19, 20, 22 and 24 are rejected under 35 U.S.C. 102(e) as being unpatentable by Bezos, U.S. Patent No.: 6,029,141 (PTO-892 reference B).

5. As per claim 19, Bezos et al. teaches a system for paying a recipient and a sub-recipient, comprising:

a server computer (see column 4, lines 30-39); a sender terminal, connected to the server computer, for receiving inputs from and providing outputs to a sender (see column 4, lines 30-39);

a recipient terminal, connected to the server computer, for receiving inputs from and providing outputs to a recipient (see column 4, lines 30-39); a sub-recipient terminal, connected

to the server computer, for receiving inputs from and providing outputs to a sub-recipient (see abstract); and a payment server, connected to the server computer, for making payments to the recipient and the sub-recipient, pursuant to instructions received from the server computer, the server computer receiving and storing from the recipient terminal an amount of an expected total disbursement, an amount of a sub-recipient portion of the expected total disbursement, and an authorization to pay the sub-recipient portion of the expected total disbursement directly to the sub-recipient, the server computer receiving from the sender terminal a gross disbursement for payment to the recipient, determining whether the amount of the gross disbursement received from the sender matches the amount of the total disbursement expected by the recipient, and if the amount of the gross disbursement received from the sender matches the amount of the total disbursement expected by the recipient, instructing the payment server to make a direct payment to the recipient of the expected total disbursement, less the amount of any sub-recipient portions of the expected total disbursement, and instructing the payment server to make a direct payment to the sub-recipient of the sub-recipient portion of the expected total disbursement (see abstract, column 6, lines 41-52 and column 7, lines 30-51).

6. As per claim 20, Bezos et al. teaches the system of claim 19 described above. Bezos et al. further teaches wherein the server computer is connected to the sender terminal, the recipient terminal, the sub-recipient terminal, and the payment server using the Internet (see abstract, column 6, lines 41-54 and column 15, lines 34-50).

7. As per claim 22, Bezos et al. teaches the system of claim 19 described above. Bezos et al. further teaches wherein payment is made using an electronic funds transfer (see column 16, lines 1-2, column 21, lines 61-63 and column 22, lines 12-14).

8. As per claim 24, Bezos et al. teaches a system for paying a recipient and a sub-recipient, comprising: a server computer (see column 4, lines 30-39); a sender terminal, connected to the server computer, for receiving inputs from and providing outputs to a sender (see column 4, lines 30-39);

a recipient terminal, connected to the server computer, for receiving inputs from and providing outputs to a recipient (see column 4, lines 30-39); a sub-recipient terminal, connected to the server computer, for receiving inputs from and providing outputs to a sub-recipient (see abstract); and a payment server, connected to the server computer, for making payments to the recipient and the sub-recipient, pursuant to instructions received from the server computer, the server computer electronically receiving from the sub-recipient an amount of a sub-recipient portion of an expected total disbursement and sending the amount to the recipient for authorization, the server computer electronically receiving and storing from the recipient an amount of the expected total disbursement, instructions from the recipient to be followed if a gross disbursement amount received from the sender does not match the expected total disbursement amount received from the recipient, and an authorization to pay the sub-recipient portion of the expected total disbursement directly to the sub-recipient, the server computer notifying the sender to disburse funds and receiving from the sender a gross disbursement for payment to the recipient, the server computer determining whether the amount of the gross disbursement received from the sender matches the amount of the total disbursement expected by the recipient and following the stored instructions, if the amount of the gross disbursement received from the sender does not match the amount of the total disbursement expected by the recipient; and if the amount of the gross disbursement received from the sender matches the

amount of the total disbursement expected by the recipient, instructing the payment server to make a direct payment to the recipient of the expected total disbursement, less any sub-recipient portions of the expected total disbursement, and instructing the payment server to make a direct payment to the sub-recipient of the sub-recipient portion of the expected total disbursement (see abstract, column 6, lines 41-52 and column 7, lines 30-51).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linehan, Patent No.: U.S. 6,327,578 B1 (PTO-892 reference A) in view of Bezos et al., Patent No.: U.S. 6,029,141 (PTO-892 reference B).

11. As per claim 1, Linehan teaches a method for paying a recipient and a sub-recipient, comprising:

(a) electronically receiving and storing from a recipient an amount of an expected total disbursement, an amount of a sub-recipient portion of the expected total disbursement (see column 2, lines 16-31 and column 22, lines 9-67), and an authorization to pay the sub-recipient portion of the expected total disbursement directly to the sub-recipient (see Fig. 3 and column 16, lines 29-67);

(b) electronically receiving from a sender a gross disbursement for payment to the recipient (see column 17, lines 3-8);

(c) determining whether the amount of the gross disbursement received from the sender matches the amount of the total disbursement expected by the recipient (see column 16, lines 60-column 17, lines 8); and

(d) if the amount of the gross disbursement received from the sender matches the amount of the total disbursement expected by the recipient:

instructing a payment server to make a direct payment to the recipient of the expected total disbursement (see column 8, lines 16-19 and lines 44-52), and instructing the payment server (see abstract, column 12, lines 48-67 and column 16, lines 31-column 17, lines 8).

Linehan does not teach:

the sub-recipient portion of the expected total disbursement directly to the sub-recipient; less any sub-recipient portions of the expected total disbursement; to make a direct payment to the sub-recipient of the sub-recipient portion of the expected total disbursement.

Bezos et al. teaches:

the sub-recipient portion of the expected total disbursement directly to the sub-recipient (see column 7, lines 30-40);

less any sub-recipient portions of the expected total disbursement; to make a direct payment to the sub-recipient of the sub-recipient portion of the expected total disbursement (see abstract, column 2, line 66-column 3, line 42 and column 7, lines 30-40).

Therefore, it would be *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to add making a direct payment to the sub-recipient of the sub-recipient

portion of the expected total disbursement feature to paying a recipient method of Linehan because Bezos teaches that adding the feature to make direct payment helps the customer to select multiple different sites, and then perform a single check-out to purchase all of the selected product (see column 2, line 66-column 3, line 4 of Bezos et al.).

12. As per claim 2, Linehan teaches the method of claim 1 described above. Bezos et al. further teaches including: shielding the sender from information regarding the amount of any sub-recipient portions of the expected total disbursement (see abstract and column 7, lines 30-40).

Therefore, it would be *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to add shielding the sender from information regarding the amount of any sub-recipient portions of the expected total disbursement feature to pay a recipient method of Linehan because Bezos et al. teaches that adding the feature to a pay a recipient method helps the customer to select multiple different sites, and then perform a single check-out to purchase all of the selected product (see column 2, line 66-column 3, line 4 of Bezos et al.).

13. As per claim 3, Linehan and Bezos et al. teach the method of claim 1 described above. Linehan further teach the method including the following step performed between steps (a) and (b): notifying the sender to disburse funds (see column 16, lines 31-49 and column 22, lines 63-67).

14. As per claim 4, Linehan and Bezos et al. teach the method of claim 1 described above. Linehan further teaches the wherein step (a) further includes: receiving and storing instructions (see column 8, lines 49-5) from the recipient to be followed if the gross disbursement amount received from the sender does not match the expected

total disbursement amount received from the recipient (see column 16, line 57 - column 17, line 7).

15. As per claim 5, Linehan and Bezos et al. teach the method of claim 4 described above. Bezos teaches wherein step (e) further includes: if the amount of the gross disbursement received from the sender does not match the amount of the total disbursement expected by the recipient, following the stored instructions (see column 11, lines 14-26).

Therefore, it would be *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to add if the amount of the gross disbursement received from the sender does not match the amount of the total disbursement expected by the recipient, following the stored instructions feature to pay a recipient method of Linehan because Bezos et al. teaches that adding the feature to a pay a recipient method helps the customer to select multiple different sites, and then perform a single check-out to purchase all of the selected product (see column 2, line 66-column 3, line 4 of Bezos et al.).

16. As per claim 6, Linehan teaches the method of claim 1 described above. Linehan further teaches including the following step performed prior to step (a):

receiving from the sub-recipient the amount of the sub-recipient portion of the expected total disbursement and sending the amount to the recipient for authorization (see column 6, lines 41-54, column 7, lines 41-51, column 8, lines 59-66 and column 11, lines 14-26).

Therefore, it would be *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to add receiving from the sub-recipient the amount of the sub-recipient portion of the expected total disbursement and sending the amount to the recipient for authorization to pay a recipient method of Linehan because Bezos et al. teaches that adding the

feature to a pay a recipient method helps the customer to select multiple different sites, and then perform a single check-out to purchase all of the selected product (see column 2, line 66-column 3, line 4 of Bezos et al.).

17. As per claim 7, Linehan and Bezos et al. teach the method of claim 1 described above.

Linehan further teaches wherein payment is made using an automated teller machine (see column 17, lines 31-33).

18. As per claim 8, Linehan and Bezos et al. teach the method of claim 1 described above.

Linehan further teaches wherein payment is made using an electronic funds transfer (see abstract and column 16, lines 31-67).

19. As per claim 9. Linehan and Bezos et al. teach the method of claim 1 described above.

Linehan further teaches payment is made using a check (see column 2, lines 21-26 and column 12, lines 5-10).

20. As per claim 10, Linehan and Bezos et al. teach the method of claim 1 described above.

Bezos et al. further teaches including the following step performed after step (d): providing a report to the recipient indicating the amount of money paid directly to the sub-recipient (see column 16, lines 20-26, column 18, lines 20-50, claim 21 and claim 41).

Therefore, it would be *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to add providing a report to the recipient indicating the amount of money paid directly to the sub-recipient to pay a recipient method of Linehan because Bezos et al. teaches that adding the feature helps the customer to select multiple different sites, and then perform a single check-out to purchase all of the selected product (see column 2, line 66-column 3, line 4 of Bezos et al.).

21. As per claim 11, Linehan and Bezos et al. teach the method of claim 1 described above. Bezos et al. further teaches wherein the amount of the sub-recipient portion of the expected total disbursement is calculated net of withholdings, whereby the amount paid to the recipient includes the withheld amounts (see column 11, lines 12-26).

Therefore, it would be *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to add wherein the amount of the sub-recipient portion of the expected total disbursement is calculated net of withholdings, whereby the amount paid to the recipient includes the withheld amounts feature to pay a recipient method of Linehan because Bezos et al. teaches that adding the feature helps the customer to select multiple different sites, and then perform a single check-out to purchase all of the selected product (see column 2, line 66-column 3, line 4 of Bezos et al.).

22. As per claim 12, Linehan teaches a method for paying a recipient and a sub-recipient, comprising:

(b) using the server computer to electronically receive and store from the recipient an amount of the expected total disbursement (see column 2, lines 16-31 and column 22, lines 9-67);

(c) notifying the sender to disburse funds (see column 16, lines 31-44 and column 22, lines 61-67);

(d) receiving from the sender a gross disbursement for payment to the recipient (see column (see column 16, line 63-column 17, line 7) ;

(e) determining whether the amount of the gross disbursement received from the sender matches the amount of the total disbursement expected by the recipient (see column 16, lines 57-67);

(g) if the amount of the gross disbursement received from the sender matches the amount of the total disbursement expected by the recipient: instructing a payment server to make a direct payment to the recipient of the expected total disbursement(see column 8, lines 16-19 and column 8, lines 44-52);

Linehan does not teach:

(a) using a server computer to electronically receive from a sub-recipient an amount of a sub-recipient portion of an expected total disbursement and sending the amount to a recipient for authorization ;

b) instructions from the recipient to be followed if a gross disbursement amount received from the sender does not match the expected total disbursement amount received from the recipient, and an authorization to pay the sub-recipient portion of the expected total disbursement directly to the sub;

(f) following the stored instructions, if the amount of the gross disbursement received from the sender does not match the amount of the total disbursement expected by the recipient; and

(g) less any sub-recipient portions of the expected total disbursement, and instructing the payment server to make a direct payment to the sub-recipient of the sub-recipient portion of the expected total disbursement.

Bezos teaches the following part of steps:

- (a) using a server computer to electronically receive from a sub-recipient an amount of a sub-recipient portion of an expected total disbursement and sending the amount to a recipient for authorization (see column 6, lines 41-54, column 7, lines 41-51, column 8, lines 59-66 and column 11, lines 14-26);
- (b) instructions from the recipient to be followed if a gross disbursement amount received from the sender does not match the expected total disbursement amount received from the recipient, and an authorization to pay the sub-recipient portion of the expected total disbursement directly to the sub (see column 11, lines 14-26);
- (f) following the stored instructions, if the amount of the gross disbursement received from the sender does not match the amount of the total disbursement expected by the recipient (see column 11, lines 14-26); and
- (g) less any sub-recipient portions of the expected total disbursement, and instructing the payment server to make a direct payment to the sub-recipient of the sub-recipient portion of the expected total disbursement (see column 11, lines 14-26, column 12, lines 42-62).

Therefore, it would be *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to add electronically receive from a sub-recipient an amount of a sub-recipient portion of an expected total disbursement and sending the amount to a recipient for authorization, instructions from the recipient to be followed if a gross disbursement amount received from the sender does not match the expected total disbursement amount received from the recipient, and an authorization to pay the sub-recipient portion of the expected total disbursement directly to the sub and less any sub-recipient portions of the expected total disbursement, and instructing the payment server to make a direct payment to the sub-recipient

of the sub-recipient portion of the expected total disbursement features to pay a recipient method of Linehan because Bezos et al. teaches that adding the features to a pay a recipient method helps the customer to select multiple different sites, and then perform a single check-out to purchase all of the selected product (see column 2, line 66-column 3, line 4 of Bezos et al.).

23. As per claim 13, Linehan and Bezos et al. teach the method of claim 12 described above. Bezos et al. further teaches including: shielding the sender from information regarding the amount of any sub-recipient portions of the expected total disbursement (abstract and column 7, lines 30-40).

Therefore, it would be *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to add shielding the sender from information regarding the amount of any sub-recipient portions of the expected total disbursement feature to pay a recipient method of Linehan because Bezos et al. teaches that adding the feature to a pay a recipient method helps the customer to select multiple different sites, and then perform a single check-out to purchase all of the selected product (see column 2, line 66-column 3, line 4 of Bezos et al.).

24. As per claim 14, Linehan and Bezos et al. teach the method of claim 12 described above. Linehan further teaches wherein payment is made using an automated teller machine (see column 17, lines 31-33).

25. As per claim 15, Linehan and Bezos et al. teach the method of claim 12 described above. Bezos teaches wherein payment is made using an electronic funds transfer (see column 2, lines 14-18, column 16, lines 1-2, column 21, lines 62-65 and column 22, lines 12-14).

Therefore, it would be *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to add payment is made using an electronic funds transfer feature to pay

a recipient method of Linehan because Bezos et al. teaches that adding the feature to a pay a recipient method helps to provide an efficient mechanism for crediting the accounts of the associates at the time of purchase (see column 3, lines 2-7)

26. As per claim 16, Linehan and Bezos et al. teach the method of claim 12 described above. Linehan further teaches wherein payment is made using a check (see column 2, lines 21-26 and column 12, lines 5-10).

27. As per claim 17, Linehan and Bezos et al. teach the method of claim 12 described above. Bezos et al. further teaches including the following step performed after step (g): providing a report to the recipient indicating the amount of money paid directly to the sub-recipient (see column 16, lines 20-26, column 18, lines 20-50, claim 21 and claim 41).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add providing a report to the recipient indicating the amount of money paid directly to the sub-recipient to pay a recipient method of Linehan because Bezos et al. teaches that adding the feature helps the customer to select multiple different sites, and then perform a single check-out to purchase all of the selected product (see column 2, line 66-column 3, line 4 of Bezos et al.).

28. As per claim 18, Linehan and Bezos et al. teach the method of claim 1 described above. Bezos further teaches wherein the amount of the sub-recipient portion of the expected total disbursement is calculated net of withholdings, whereby the amount paid to the recipient includes the withheld amounts (see column 11, lines 12-26).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add wherein the amount of the sub-recipient portion of the expected

total disbursement is calculated net of withholdings, whereby the amount paid to the recipient includes the withheld amounts feature to pay a recipient method of Linehan because Bezos et al. teaches that adding the feature helps the customer to select multiple different sites, and then perform a single check-out to purchase all of the selected product (see column 2, line 66-column 3, line 4 of Bezos et al.).

29. Claims 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bezos et al., Patent No.: U.S. 6,029,141 (PTO-892 reference B) in view of Linehan, Patent No.: U.S. 6,327,578 B1 (PTO-892 reference A).

30. As per claim 21, Bezos et al. teaches the system of claim 19 described above. Linehan et al. further teaches wherein payment is made using an automated teller machine (see column 17, lines 31-33).

Therefore, it would be *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to add payment is made using an automated teller machine feature to pay a recipient system of Bezos because Linehan. teaches that adding the feature helps improving the ease of implementation and overall performance (see abstract).

31. As per claim 23, Bezos et al. teaches the system of claim 19 described above. Linehan et al. further teaches wherein payment is made by check (see column 2, lines 21-26 and column 12, lines 5-10).

Therefore, it would be *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to add payment is made using an automated teller machine feature to pay a recipient system of Bezos because Linehan. teaches that adding the feature helps improving the ease of implementation and overall performance (see abstract).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Liu whose telephone number is 571-270-1370. The examiner can normally be reached on First Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick James Nolan can be reached on 571-270-0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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